

**FAX COVER SHEET**

MAY - 8 2008

From: David Schoen (Co-Counsel for Defendant James Ressler)  
To: Honorable Michael H. Dolinger, U.S. Magistrate Judge (SDNY)  
Fax No.: 212-805-7928  
Re: *Fendi, et al. v. Ashley Reed Trading, Inc., et al.*; 06 Civ. 0243 (JES)(MHD)  
Letter pursuant to Local Civil Rule 37.2 and Section 2. A. of Your Honor's Individual Practices  
Date: May 8, 2008  
Total Number of Pages (including this cover sheet): 8

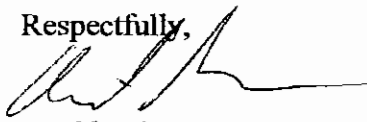
The attached letter is being faxed to Your Honor directly pursuant to Section I. C. of Your Honor's Individual Practices. A copy was sent by email to attorneys for all parties in this case and the consolidated cases. Simultaneously with this faxed transmission to the Court, I am delivering by email a copy of this Fax Cover Sheet to all counsel as well.

I received notice from the ECF office this morning that letters are not accepted for filing through ECF; so I am faxing the letter immediately upon receipt of such notice.

**Scheduling**

In the attached letter, I advise the Court that if the Court determines that setting the matter for a conference is appropriate, I could appear anytime next week from mid-day Monday (May 12, 2008) forward for such a conference; however, this morning my schedule changed such that I cannot appear Monday until the end of the day. I also can appear anytime Tuesday, Thursday or early morning Friday or the following week anytime from Monday (May 19, 2008) through Wednesday. Naturally, if, under Local Civil Rule 37.2, instead of a conference, the Court directs that a motion be filed, I will do so immediately.

Respectfully,

  
David SchoenENDORSED ORDER

This letter is deemed an application by defendant James Ressler for an order postponing the deposition until the completion of the criminal trial. Plaintiff very stipulated by May 12, 2008. My understanding is Mr. Ressler is to be received by May 13, 2008.

5/8/08

